

JODI LYNN KIRBY

VERSUS

WALMART STORES EAST, LP,

Defendant.

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CC-3126 Y

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TIME

10:23 AM

BEVERLY H. COLLEGE

CIRCUIT COURT IN OHIO

COMPLAINT

1. The Plaintiff is a citizen of White County, Tennessee residing at 244 Allen Sparta, Tennessee 38583. The Defendant, Walmart, may be served thru their preferred Agent, CT Corporation System, 300 Montvue Road, Knoxville, Tennessee . At all times material to this matter, the incident hereinafter described occurred in White County, Tennessee at 202 Sam Walton Drive, Sparta, Tennessee at the Walmart center #587.

2. On or about November 5, 2020, the Plaintiff, Jodi Lynn Kirby was a business invitee/customer of the Walmart Supercenter #587 store located in Sparta, Tennessee.

3. While walking through the Defendant's place of business on the aforementioned date, the Plaintiff slipped on a piece of merchandise in the floor. The Plaintiff being embarrassed she had fallen went to her car then called the Defendant and advised of her injury. The Plaintiff said the employee went back into the store, observed

EXHIBIT

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where she fell, acknowledged that there was an item in floor and the videos had captured her fall.

4. The Defendant, at all times material hereto, was negligent in that merchandise was sticking out of a rack near the front of the store without warning cones or signs creating a dangerous condition and ultimately causing the Plaintiff to fall causing injuries to herself.


5. As a direct and proximate result of the Defendant's negligence, the Plaintiff fell upon the floor of the Defendant's business, sustaining various injuries and caused her to suffer both in body and in mind.

6. As a direct and proximate result of the negligence of the Defendant, the Plaintiff received serious, painful, disabling and permanent bodily injuries that required her to incur and to become liable for certain medical treatment, including surgery, and other related expenses.

WHEREFORE, the Plaintiff, Jodi Lynn Kirby, demands judgment against the Defendant in an amount up to Three Hundred Thousand (\$300,000.00) Dollars for bodily injury and related medical expenses, pain and suffering, permanent injuries, loss of enjoyment of life and the costs of this action.

Respectfully submitted,

CAMERON GOOLSBY & GROSS

By 
William A. Cameron, #3335
Attorney for Plaintiff
100 South Jefferson Avenue
Cookeville, Tennessee 38501
(931) 526-3366